

## **ORDINANCE NO. 23-11**

### **AN ORDINANCE VACATING A PORTION OF GARFIELD STREET IN THE CITY OF WEST LAFAYETTE, INDIANA**

WHEREAS, that portion of Garfield Street ("Street") to be vacated is approximately fifty (50) feet in width and the legal description is marked as Exhibit "A, Page 1" attached hereto and made a part hereof;

WHEREAS, the "Street" to be vacated is located between and contiguous with Lots in the Spalding's Plat of West Lafayette with Key Numbers 164-02000-0056, 164-02000-0430, 164-02000-0045, 164-02000-0419 in the City of West Lafayette, Indiana, together with any public easements therein, as shown in a drawing prepared by The Schneider Corporation, marked as Exhibit "A, Page 2", attached hereto and incorporated herein;

WHEREAS, the contiguous property to said area to be vacated is the property of the abutting landowners, McDonalds USA, LLC (McDonalds), Jamesen Family, LLC (Jamesen) and Purdue Employees Federal Credit Union (PEFCU);

WHEREAS, PRF, petitioner for the vacation of the "Street", has compiled with the provisions of the Indiana Code; and

WHEREAS, PRF, petitioner for the vacation of the "Street" requests that the title to the Street be transferred equally to the abovementioned abutting landowners.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of West Lafayette that:

Section 1: The "Street", which is approximately fifty (50) feet in width and running between and contiguous with Lots in the Spalding's Plat of West Lafayette with Key Numbers 164-02000-0056 and 164-02000-0045, 164-02000-0419 in the City of West Lafayette, Indiana, together with any public easements therein, as shown as Exhibit "A, Page 1" and "A, Page 2" is hereby vacated.

Section 2: The "Street" as described in Exhibit "A, Page 1" and "A, Page 2" is hereby conveyed equally to the abutting landowners, McDonalds, Jamesen and PEFCU.

Section 3. This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

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Judith C. Rhodes, Clerk-Treasurer

Prepared by: The Schneider Corporation

**EXHIBIT 'A'**Land Description – Proposed Vacation for a portion of Garfield Street

A part of Garfield Street as platted in Spaulding's Plat of West Lafayette, the plat of which is recorded at Deed Record 85, Page 178 in the Office of the Recorder of Tippecanoe County, Indiana (hereinafter referred to as "Spaulding's Plat"), described as follows:

Beginning at the west corner of Lot 32 in Spaulding's Plat; thence North 51 degrees 24 minutes 15 seconds East (bearings based on an ALTA/ACSM Land Title Survey prepared by the Schneider Corporation and recorded at Record #201111008497) along the northwest lines of said Lot and the a 14-foot northwest-southeast alley as platted in Spaulding's Plat a distance of 139.86 feet to a north line of said alley; thence South 88 degrees 48 minutes 38 seconds East along said north line a distance of 7.95 feet to a northwest corner of Lot 29 in Spaulding's Plat; thence South 88 degrees 48 minutes 38 seconds East along a north line of said Lot a distance of 2.22 feet to the southwest corner of a 14-foot wide east-west alley (vacated per Ordinance #10-50 recorded in Deed Book 164, Page 379); thence North 01 degrees 29 minutes 06 seconds West along the west line of said vacated alley a distance of 7.01 feet to the centerline of said vacated alley; thence North 88 degrees 48 minutes 38 seconds West along the westerly extension of said centerline a distance of 15.29 feet; thence North 37 degrees 54 minutes 33 seconds West a distance of 16.14 feet to an angle point of the centerline of Garfield Street; thence North 65 degrees 05 minutes 35 seconds West a distance of 27.93 feet to an east corner of Lot 31 in Spaulding's Plat; thence South 51 degrees 24 minutes 15 seconds West along the southeast line of said Lot a distance of 122.58 feet to the east corner of the land described in a deed to the State of Indiana for additional Right-of-Way for street widening and improvement along U.S. Highway 231, recorded in Book 259, Page 516; thence South 51 degrees 24 minutes 15 seconds West along a southeast line of said land a distance of 5.98 feet to the south corner of said land; thence South 39 degrees 18 minutes 52 seconds East along the northeast right-of-way of U.S. Highway #231 a distance of 25.00 feet to the centerline of Garfield Street; thence continuing South 39 degrees 24 minutes 53 seconds East along said northeast right-of-way line a distance of 25.00 feet to the Point of Beginning, containing 0.16 acre, more or less.

Prepared by:

Mark S. Hennessey  
Registered Land Surveyor #LS20300038  
July 27, 2011



**EXHIBIT 'A'**



